



1642

10

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop Non-Fee Amendments, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 8, 2003

David Saliwanchik

David R. Saliwanchik, Patent Attorney

ELECTION UNDER 35 USC §121
Examining Group 1642
Patent Application
Docket No. SPO-116
Serial No. 10/070,569

RECEIVED
MAY 14 2003
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Alana M. Harris, Ph.D.
Art Unit : 1642
Applicants : Takashi Muramatsu, Kohji Okamoto, Shinya Ikematsu, Munehiro Oda,
Hideshi Kumai, Sadatoshi Sakuma
Serial No. : 10/070,569
Conf. No. : 7190
Filed : March 8, 2002
For : Early Cancer Tumor Marker

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION UNDER 35 USC §121

Sir:

In response to the written restriction requirement dated April 30, 2003, the applicants hereby elect to prosecute the Group I claims, i.e. claims 1-9, 13 and 14, drawn to a method for detecting cancer comprising measuring the level of midkine in a biological sample thereby indicating the presence of early cancer.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Respectfully submitted,



David R. Saliwanchik

Patent Attorney

Registration No. 31,794

Phone No.: 352-375-8100

Address : 2421 N.W. 41st Street

Suite A-1

Gainesville, FL 32606

DRS/la